

REMARKS

Claims 14-25 remain in this application. No claims have been amended pursuant to the present Amendment.

Claims 14 and 16-25 of the present application were rejected by the Examiner under 35 U.S.C. §103(a) as being unpatentable over *Yamakazi* (U.S. Patent No. 6,522,319) in view of *Burgan et al.* (U.S. Patent No. 5,805,121). Claim 15 was rejected under 35 U.S.C. §103(a) as being unpatentable over *Yamakazi* (U.S. Patent No. 6,522,319) in view of *Burgan et al.* (U.S. Patent No. 5,805,121), further in view of *Duwaer* (U.S. Patent No. 5,960,366). Applicant respectfully traverses this rejection. Favorable reconsideration is respectfully requested.

Specifically, *Yamakazi* does not disclose “the display controller, in the absence of the communications information to be presented, activates and cyclically refreshes with picture information only the second partial area of the display unit for the presentation of the miscellaneous user information and deactivates the first partial area of the display unit” as recited in claim 14. The disclosure in *Yamakazi* discloses a screen 221 deactivates and partially displays a display region 221D during a wait time, such as a phone-call wait time (col. 40, lines 39-43). This feature is taught by *Yamakazi* as on that saves power by not requiring a full-screen display state at all times (col. 40, lines 14-22). However, *Yamakazi* is explicit in teaching that the displayed portion is not refreshed cyclically (col. 39, lines 14-28).

In contrast, the present invention recites that the display controller cyclically refreshes the second partial area of the display unit for the presentation of the miscellaneous user information. This feature provides a benefit by allowing displayed information to be visible for a longer period of time (because the display is not switched off). An exemplary operation of this feature is discussed in the substitute specification pages 7, second to last line to page 8, line 14:

The functionality of the display controller 11 then can be adapted in such a way that, in standby mode in which no multimedia communications information is presented in the partial area 16, the display controller 11 processes only the pixels of the partial area provided for the presentation of user information or status information, as in the embodiment shown in Fig. 2, only the uppermost pixel lines of the display 13 belonging to the partial area 15 being cyclically refreshed and activated in standby mode. For this purpose, the display controller 11 may have an internal line counter which is reset with each refresh cycle and counts the pixel lines of the display 13 which are instantaneously being

refreshed by the display controller 11. As soon as the display controller 11 in standby mode, with reference to the internal counter level, determines that a pixel line 14 of the display 13 is to be refreshed or supplied with picture information which belongs to the partial area 16 of the display 13, this line is no longer processed by the display controller 11 and is, therefore, not supplied with picture information; i.e., the pixel lines 14 belonging to the partial area 16 of the display 13 remain dark. This procedure is repeated with each refresh cycle.

As mentioned previously, this feature is not taught in the disclosure of *Yamakazi*.

Furthermore, as the Examiner has stated, *Yamakazi* does not disclose the feature of presenting, on the first partial area, communications information that was transmitted to the mobile communications terminal. In this regard, the Examiner cited *Burgan* (col. 1, line 62-col. 2, line 3) to propose that this feature is disclosed. Applicant respectfully disagrees. The portion relied upon by the Examiner in *Burgan* discloses two physically separate displays (12, 14), that are combined to form a single display area (col. 1, line 62-col. 2, line 7). Each display has a dedicated driver that may be turned on and off (col. 2, lines 20-24). This disclosure does not teach a “partial area” as claimed in the present invention, but rather is a separate display that is independently controlled.

Moreover, there is no suggestion or motivation to combine the references in the manner suggested by the Examiner. The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990) (see MPEP 2143.01). The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). The *Burgan* reference teaches controller operation that functions only when a user designates the apparatus as being under an “active” or “standby” mode (col. 6, lines 38-58; col. 7, lines 14-17, 49-51). Thus *Burgan* is wholly silent on processing the presence or absence of communication information.

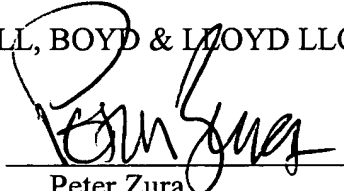
Likewise, the disclosure in *Duwaer* discloses a wrist-watch wireless telephone with an interactive display screen.. However, the configuration of *Duwaer* teaches a small LCD display screen, where issues of high power consumption do not occur.

In light of the above, Applicant respectfully submits that claims 14-25 of the present application are both novel and non-obvious over the art of record. Accordingly, Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If any fees are due in connection with this application as a whole, the Examiner is authorized to deduct such fees from deposit account no. 02-1818. If such a deduction is made, please indicate the attorney docket number (0112740-0226) on the account statement.

Respectfully submitted,

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Dated: August 26, 2004